

A
in and full VINDICATION
OF A LETTER,

WROTE TO A
MEMBER of the Lower House of Assembly :

S H E W I N G,
That the Taxes imposed on the Students of
YALE-COLLEGE, are stated higher than to defray the
annual Expences of that School.
Clearly evincing, both by the Quarter-Bills, and the General
Account current, as the same hath been adjusted by the
Rev'd *President and Fellows*, that the Accounts therein con-
tained, are genuine and true.

B E I N G A
Full ANSWER
To A LETTER,

WROTE TO A
MEMBER of the House of Representatives,
In Vindication of *Yale-College ;*

W I T H S O M E
Further REMARKS on the LAWS and
GOVERNMENT of that SOCIETY :

I N S C R I B E D
To the HONOURABLE, the GENERAL ASSEMBLY
of his MAJESTY's English Colony of CONNECTICUT.

By BENJAMIN GALE, A. M.

Answer not a Fool according to his Folly, lest thou be like unto him. SOLOMON.

-----*Neither with the LEAVEN of Malice.* Apostle PAUL.

Black Choler fill'd his Breast, that boil'd with Ire. POPE.

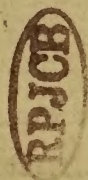
Fervens difficili Bile, tumet Jecur. HORACE.

*Duo modo, hæc opto : Unum, ut moriens Populum Rom. liberum relinquam ;
hoc mihi majas à Diis immortalibus dari nihil potest : Alterum, ut ita cu-
ique eveniat, ut de Repub quisque mereatur.* CICERO.

NEW-HAVEN ; Printed by James Parker, and Company, 1759.

the Honourable,
General Assembly of his Majesty's
English Colony of CONNECTICUT
in NEW-ENGLAND.

May it please your Honours,



AS the General Assembly have founded,
and largely endow'd *Yale-College*; and
in the eighth Paragraph of the Grant or Char-
ter, expressly retain'd the Care, Over-sight, and
Visitation thereof, in the Legislature of this
Colony ;---I humbly ask Leave to inscribe to
your Honours, this short Account of the State
of that Society ; containing the Method of tax-
ing the Students, and the Appropriation of
the Money arising thereon ; with some Re-
marks on the Laws and Genius of it's Go-
vernment;----In which I have faithfully en-
deavoured to represent Facts according to Truth.

*I am, may it please your Honours,
with the highest Esteem,*

Your Honour's most dutiful

Most Obedient,

and very humble Servant,

Benjamin Gale.

A

Calm & full Vindication, &c.

IN my letter of *March* last, to a member of the lower house of the assembly, of the colony of *Connecticut*; shewing, that the taxes, imposed on the students of *Yale-College*, are stated higher than is necessary to defray the annual expences of that school, &c. I undertook, in order to evince the same, to shew, that the tax *only* on tuition, for the *three* last years, exceeded the salaries of the president and tutors, monitors, and scholar of the house, and all the *contingent* charges of the college, for the same term, £. 21-0-8, *lawful money*.

A reply having been offered to the publick, directed to a member of the house of representatives, by a gentleman, who styles himself *a witness to truth, and a lover of religion and learning*, In which, he says, every thing I have laid in my former, is absolutely false, or grossly misrepresented, page 4th; and as he hath perplexed the minds of unwary readers, and disguised the truth, altho' he hath failed of proving his assertion, and convicting me of such misrepresentation; I esteem my self laid under a necessity of clearing up this matter to the satisfaction of every honest mind, and of vindicating what I had heretofore offered to the public. And this I shall endeavour to do in a calm and dispassionate manner, without any retaliation of those bitter and repeated invectives, with which his letter is replete: Such as his frequent charging me with *falsehood* and *wilful* misrepresentations, *maliciousness*, *superlative meanness* of soul, and as *not being a friend to religion*; and his comparing me to a *viper*, and that monster *Nero*. I am persuaded

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He never learned thus to rail and revile, of CHRIST, whose kingdom shall not be inherited by any revilers : Nor doth such railing language shew more of the *christian*, than this manner of writing and imperfect representation of facts suits the character of a *witness of truth*. I would by no means imitate him in his manner of writing, but rather conform to a divine rule, in *not rendering railing for railing*, and to the example of the blessed author of our holy religion, who *when he was reviled, reviled not again*, and without any further notice of his virulent treatment of me, than only to state facts truly, leave the *vindicator*, his *employer*, and *admirers*, in the undisturbed possession of such *ungentleman-like* language and reflections, to their own sole use, benefit and behoof : Who may for the future consider and use them, as their own proper artillery, whenever they shall see it necessary to asperse my character, and vindicate the governors of the college, in things wherein they are to be blamed.

Had the vindicator spared but one half of his bitter invectives, he might have found room to have stated the college accounts, at large, and by that means have discovered to his readers, whether my representation was just or not ; and so have saved me the trouble of a reply. But as that would confine his wrath to too narrow limits, he contented himself with only producing a certificate, under the hand of the *steward* of the college, of the neat balances in favour of the college, in said three years, which he was ordered to pay to the president and fellows : Which is nothing to the purpose, as I had never once in my letter ascertain'd the balance of the college treasury.

In order therefore to evince the truth of the facts related in my former letter, I shall insert at large the *quarter-bills* of the college for the years 1756, 57, 58, in lawful money ; and then the general account current ; as the same stands adjusted by the president and fellows in sterling : Which, I think, is the shortest way both to convince every unprejudic'd person of the truth of the Facts related, and to shew the method of raising money of the students, as well as the appropriation thereof, by the president and fellows of the college.

QUARTER BILLS, in Lawful Money.

Years.	Quarters.	Tuition Money. £. s. d.	Study-Rent. £. s. d.	Contin- gent Charges. £. s. d.	Cellar Rent. £. s. d.	Fines. £. s. d.	Glaſs broke. £. s. d.	Total of each Year in Sterling. £. s. d.
1756	1	74- 2-	5-10-	10-13-9	2- -10	6-12-10	2-14- 9	-
	2	74- 2-	5-10-	11- 8-	3- -10	9- 3- 2	3-10- 1	-
	3	75-14-8	5-11-	11-13-	3- -00	10- 5- 3	5-18- 1	-
	4	74- 2-	6- 3-	11- 8-	2-17- 6	19-13- 4	5- 6-11	330- - 9
1757	1	74- 2-	6- 3-	11- 8-	3- -10	13- 4-	5-19-	-
	2	74- 2-	6- -	11- 8-	3- 2- 6	14- 3- 7	5- 3- 5	-
	3	74- 2-	6- 1-6	11- 8-	3- 2- 6	28-12- 6	3- 4-10	-
	4	74- 2-	6- 8-	11- 8-	3- 2- 6	17-17- 6	3- 2- 5	352-16-0 ³ / ₄
1758	1	71-10-	6- 7-6	11- -	3-10-10	9-12-	3- 6-10	-
	2	71-10-	6- 7-6	11- -	3-10-10	13- 8-10	4-15-	-
	3	71-10-	6- 7-6	11- -	3-11- 2	14-17- 6	7-14-	-
	4	69- 6-8	6- 6-6	10-13-4	3- 4- 2	15- 5- 7	4- 7- 2	330- 2-2 ¹ / ₇
Totals.		878- 5-4	72-15-6	134- 8-1	37- 4- 6	172-16- 1	55- 2- 6	1012-

N. B. The reader will observe in the last column, in which the sum total, of the quarter bills, of each year, is reduced to sterling, that in the year 1757 the total of the quarter bills is 3 farthings more, and in the year 1758 they are carried out 3 farthings less, than they are carried out, in the general account current, by the president and fellows. I would also here remark that in adding up the quarter bills, in my former account, I make the total of them 11s. 6d. more than I find they amount to on a careful review of the account; and also would observe, *of design*, I left out the glaſs bill in my former account, it being unnecessary, as I there stated the account. I trust as 11s. 6d. makes so immaterial an addition to so large an account, no one will imagine it done of design; however, it has given the vindicator an opportunity to say, p. 7. *Some articles he took out right, and some wrong*, however, I doubt whether on so trifling an error, he could justly say, the account was false, or grossly misrepresented.

E-COLLEGE, in Sterling.		l. s. d.	
First class, or salaries.	To Mr. president Clap's salary,)	100-	
	To Mr. Hillhouse, tutor and librarian,)	30-10-	
	To Mr. tutor Wells six months,)	14-	
	To Mr. tutor Goodrich, - - -)	27-10-	
	To Mr. tutor Woodbull six months,)	14-10-	
	To monitors and scholars of the house.)	1- 9-	£. 187-19- 0
	To Mr. president Clap's salary,)	100-	
	To Mr. Woodbull tutor and librarian,)	32-10-	
	To Mr. Pomroy, - - - - -)	29-10-	
	To Mr. Williams, - - - - -)	21- 6	
	To monitors and scholars of the house.)	1- 9	£. 184- 9- 6
	To Mr. president Clap's salary, -)	100-	
Second class, or contingent charges.	To Mr. Woodbull, tutor and librarian,)	34-	
	To Mr. Williams, - - - - -)	30-	
	To Mr. Strong, - - - - -)	30-	
	To monitors and scholar of the house.)	1-10-	£. 195-10- 0
	Total of the salaries of three years, - - -		£. 567-18- 6
	To Webb, for writing college affairs, 1756	7- 6	
	To William Chatterton, for service done, 1756	19-2	
	To the fellows for two travels, 1756,	3-16-6	
	To Will. Chatterton, for service done, 1757,	1- 8-7	
	To expences of Mr. Stoddard's journey, 1757	12-4	
	To Sir Webb, for writing college affairs, 1757	10-	
	To the fellows, for three travels, 1757,	12- 6	
	To Wm. Chatterton, for service done, 1758,	8-9	
	To Mr. president, for expences in a journey, 1758, - - -	1- 7-9	
	To Trumble, for writing college affairs, 1758	12-	
	To the fellows for travel to 2 meetings, 1758	6- 5-4 ¹ / ₂	
	To Jacob White, for white-washing, 1758,	1- 4-	
	To Isaac Hunt, for ditto. 1758,	18-	
	To Capt. Talmage, his bill for three years, exclusive of glass, - - -	14-16-9 ¹ / ₄	
	To Mr. Fitch, for sundry disbursements, 1758	12- 5-7 ⁴ / ₄	£. 57-12-9 ³ / ₄
	To sum total of salaries & contingent charges	£. 625-11-3 ³ / ₄
3d class.	To Cap. Talmage's bills of glass charged to the accounts of particular students for 3 years,	41- 6-9 ³ / ₄	
	To commencement dinner, 1756, -	12- 8-2	
	To ditto, - - - - - 1757.	11-19 3	£. 65-14-24 ³ / ₄
4th class.	To Mr. Dagget for salary in part, the charge of sickness, & removing his family, 1756,	46-	
	To Benjamin Munson, for professor's house.	1-11-	
	To Mr. Dagget, in part for his salary,)	20-	
	To Benj. Munson, for professor's house,)	4-16-	
	To Benj. Munson, for professor's house, 1758.	4-11-	£. 76-18-0
6 class.	To air-pump, 1756, - - - -	30-	
	To disbursements for air pump, 1757,	25-19-	£. 55-19-0
	To various expences of college, 1756,	14-18-9	
	To various sums expended per order, 1757,	20- 5-	(£. 56- 6-3
	To various sums expended, A. D. 1758.	21- 2-6) £. 880- 8-9 ¹ / ₂
To the balance in favour of college treasury,			£. 177- 6-0 ¹ / ₂
			£. 1057-15-7

Contra - - - - Cr.

	<i>l.</i>	<i>s.</i>	<i>d.</i>
<i>Pr.</i>			
Sum total of the quarter bills <i>A. D.</i>			
1756, - - -	330-	9	
Sum total of the quarter bills, <i>A. D.</i>			
1757, - - -	352-	16-	
Sum total of the quarter bills, <i>A. D.</i>			
1758, - - -	330-	2-3	
Butlers money, - - -	2-	10-	
Incomes of the library,)	3-	18-4	
Two absent masters to a (1756			
degree, - - -)	12-		
Incomes of the library,)	2-	15-	
Butler's money, - - -)1757	2-	10-	
One absent master to a degree)	6-		
Butler's money - - -)	2-	10-	
Incomes of the library, -)	3-	11-	
Three absent masters to a)1758			
degree, - - - -)	18-		
By cash paid by the graduates for			
commencement dinner, 1756,	12-	18-9	
By ditto, paid by ditto, 1757,	12-	7-6	£.1057-15-7

The foregoing general account, I have transcribed exactly, as it stands in the publick accounts of the college, save only, I have transposed some of them, and reduced the accounts of three years into one account, and have disposed the several articles into distinct *classes*, that the reader may, the more readily distinguish the salaries, and contingent charges, from the other articles of the account; and I have noted against each article, the year in which it was charg'd. Thus the *first* class includes the salaries of the president, tutors, monitors, and scholar of the house, for three years: The second class contains all such articles, as I suppose with propriety can be call'd contingent charges. In my former Letter, p. 4. I enumerated all such articles, as I suppos'd, could be call'd contingent charges of the college, viz. the travel of the fellows to corporation meetings, joyners and masons bills for necessary repairs, expences in taking care of college lands, repairs of the pump, well, candles for the hall; and estimated them in that account at £. 100, *Lawful money*, altho' I was sensible they did not amount to that sum; yet, as there are fundry entries in the account, expressed in very general terms, I chose to allow the sum large enough; and when I had thus notified the reader, what I understood by contingent charges, I think, there can be no just grounds in the vindicator to complain; neither do I think he has a right to introduce other articles into the account of contingent charges, than what I had notified my readers I did include in my Idea of charges so term'd, unless it be only with a design to contradict me: He might have as well included Mr. *Dagget's* salary, and charges of sickness, which I had expressly excluded.

And having, in page 5th of my letter, said, that the single article of tuition money, over-balances the salaries of the president, tutors, monitors, scholar of the house, and all the contingent charges of college, (which I had, but in the preceding page, enumerated) for the term of three years, the sum of £. 21-0-8. *Lawful Money*, I beg leave to demonstrate the truth of it, as the vindicator charges it with being a false representation. Let the reader then turn his eye to the quarter bills, and he will see that the

the article of tuition money, amounts in those three years in lawful money, to £.878-5-4, and by the general account, the salaries of the president, tutors, &c. with all the contingent charges for the same term, as I have collected them in the 2d class, amount only to £.625-11-3 three farthings sterling, which in lawfull money is £.834-1-9, and instead of £.21-0-8 there still remains £.44-3-7.

Now, let the vindicator point out any of the subsequent articles of the account, that come within the denomination of contingent charges, according to the enumeration of articles of expence, I had made, which, I suppos'd, might come under that head, and see, whether he can reduce the article of tuition money, so that there will not still remain the sum of £.21-0-8, for it seems I still have got £.23-2-11 to spare; if he says, I had no right to confine the term contingent, to those articles, I had enumerated, I am contented to have it confined to the sense it is limited to, by the greatest masters of language; and even then, I believe, it will serve his purpose no better.

The vindicator tells his readers, in the margin of p. 5. "That some gentlemen at a distance have said, that tuition and salaries, at our college, are *scandalously low*." I don't know, but they may be thought so, by some, compared with what they are at some other colleges in the world; where they are thought, perhaps, by some gentlemen at a distance, *scandalously high*: So the ordinary charges of this government, and the salary of our governor, and other publick officers, are thought and spoken of by some persons abroad. But I don't know why tuition should be thought scandalously low at our college, so long as it raises in three years £.126-18-0 lawful money, more than is expended in the payment of the president's and tutor's salaries. Mr. presidents salary is £.133-6-8 lawful money *per annum*, which, with the rent of his mansion house, (which is kept in repair at the expence of the college) the rents of the lands, in and about *New-Haven*, and other considerable perquisites, as president, I do not think *scandalously low*, compared with other salaries, paid in this government. Nor do I think it too high, nor desire it should be less. The tutors salaries, indeed, which are not

the £. 40 L. M. per annum, I do think are scandalously low, considering how much tuition money is collected, annually, of the students, more than is expended for the salaries of their instructors; and with submission, I should think it would be more for the honour and advantage of the college, to give more of this overplus money to the tutors, than to lay it out for air pumps, &c. while *they* are kept at such short allowance.

Let the reader in the next place examine the articles rang'd in the third class of the account, and see whether it contains any, which ought to be allow'd as contingent charges of the college. I would only observe, any stated or fix'd expence of the college, cannot be reputed a contingent charge. Neither may those charges be accounted such, for the discharge of which the governors of the college have made stated provision: Thus for instance, the expence for the glass, broken * by the Students, which I, in my former account, wholly

* The reader is here desired to take notice, that the sum of £. 41-6-9 three farthings sterling, charg'd in the third class of the account, is equal to the sum of £. 55-2-6 lawful money, charg'd to particular students in the quarter bills, for glass, broken by the students. Capt. *Talmage*, who repairs the glass, as well as some other repairs, has a bill, in each of the three years, amounting in the whole to £. 56-3-7 sterling; from which I have deducted the aforesaid sum of £. 41-6-9 three farthings, and have left the remaining balance of his bills, which is £. 14-16-9 one farthing, in the 2d class of the account among the contingent expences: And in this, I think, I have done justice to the account. Indeed, it seems a considerable article for the students, to pay £. 41-6-9 three farthings, in three years for glass, by them broke: But I am inform'd, Mr. president himself purchases the glass, which costs about £. 5-12-6 per box, which is about 3 pence 3 farthings per square, hires captain *Talmage* to put it in at three pence per square, and charges the students 1 shilling per square; so that the glass, with the putting in, which costs 6 pence 3 farthings per square, is charg'd to the scholars at 1 shilling per square; and as a box contains 200 feet, or 360 Squares, of 8 by 10 glass, the neat Profit on each Square is 5 pence 1 farthing, and raises neat profit, per box, £. 7 17-6: Now, it appears by the steward's certificate, which the vindicator has produced, that there is on hand, over and above what is wanted, for the defraying of any of the Expences of the College, a very considerable sum, annually, paid by the steward into the hand of the president, out of which money the glass is undoubtedly purchased; and as the president has a stated salary, settled upon him, to take care of the college, as well of the buildings themselves, as of the instruction of the youth of that society, and as a third tutor has been allowed him, that he might have more time to take care of the estate and buildings of the college, &c. whether it be reasonable for him, to make any profit

wholly omitted, is not a contingent charge, special provision being made, that each scholar shall repair all the glafs by him broken. In like manner the expence of commencement, dinners, which I have plac'd in the third clafs, is not to be called a contingent charge, special provision being made, that the students, who receive degrees, shall discharge the fame, as appears by the credits of the account; and therefore the articles, contained in the 4th clafs, amounting to £.76-18-0 sterling, expended on the professor, I think, as I expressly excluded them, the vindicator has no right to retain among the contingent charges; and therefore shall not add on that head.

In the next place, the disbursements for the air pump, contain'd in the 5th clafs of the account, fall under consideration; and I would desire the vindicator to let me know, what right he has to enter that article of expence, among the contingent charges? As I had excluded it, by enumerating the several articles, which I esteem'd contingent charges, he ought at least, to let us know what contingencies happened in the years 56 and 57, which made it a contingent charge of the college in those years, more than in any other year, since the foundation of the college. It was an unlucky contingency surely, to those students who resided at college, in those two years, who were obliged, (besides paying all other expences of college,) to contribute £.55-19-0 sterling, towards the purchase of it. This Instrument, till of late, I always understood to have been purchas'd by subscription, and to have cost £.60 sterling; several gentlemen in the government having generously subscrib'd towards the purchase of it, to the amount of about £.40 sterling: Notwithstanding, the reader sees £.55-19 sterling, is taken out of the money rais'd on the students, and paid for the purchase of it, which sum is within £.4-1-0 of the prime cost; and as no credit is entered in the college accounts, of the £.40 sterling subscrib'd, it is difficult to say to what purposes it was applied: But why it should be term'd a contingent charge of the college, any more than a fire engine, a clock, † or an organ, I am at a loss to determine. These

profit on necessities, purchased for the college, as he improves the college money for that purpose, is a question; much less reasonable is it to charge 140 per cent, which exceeds the common custom of merchants, 5 times.

† I am told, by young gentlemen, who liv'd at college, when the purchase

Those articles, contain'd in the sixth class of the account, are more doubtful; indeed, I am at a loss to know under what head they ought to be rang'd, but so far as I know of them, they are charges of the *neutral* kind. As the entries are very similar and singular, I trust the articles were very much of the same kind; the reader will observe the Entries, which are as follows, viz.

	l.	s.	d.
To various expences of college, 1756.	14	18	9
To various sums expended per order, 1757.	20	5	0
To various sums expended, 1758.	21	2	6

Now I will readily own, I do not know to what purposes the two first articles were applied, but by what I know of the last entry, viz. £. 21-2-6, and from the like manner of entry, I trust that the application was much after the same sort; £. 20 of the last entry being a grant made to the president for the support of his table, || for the entertainments which he affords to the *fellows* at their meetings; and it being connected with some other article of charge, to the amount of £. 1-2-6; and entred in the college books, to various sums expended £. 21-2-6; makes a very odd appearance: But I could not rank it among the contingent charges of college, without reflecting on Mr. president; by representing it a perfect *contingency*, whether he ever entertains any gentlemen at his table or not: For which reason, at a venture (and I believe the hazard is not great) I have excluded the other two articles: But as there

chase of the air pump was made, that Mr. president induc'd many of the students to sign towards the purchase of it, who generally subscrib'd a dollar each; and upon its arrival, those students who had subscrib'd, were permitted to see it, while others were kept at a distance, notwithstanding so large a sum as £. 55-19-0 sterling was paid out of the college treasury, for the purchase of it, and £. 40 subscrib'd for it, by gentlemen in the government, for the use of the college. This conduct, which was doubtless calculated to draw more subscriptions from the students, was so relented by some, that they would not subscribe for it; and some have told me, they never saw it; altho, after some time, those, who did not subscribe, were permitted to see it. The college clock likewise, which cost £. 30 lawful money, was purchas'd by the subscription of the students, with some of the inhabitants of *New-Haven*. As the greater part of the students are minors, whether such inducements ought to be laid before them, I leave to the judgment of others.

|| I would here advertise the reader, that I never receiv'd this, or any other intelligence from any of the governors of the college, but had it in such a manner, as may be relied on by the public.

there remains £. 23-2-11 for such purposes, allowing the over-plus of tuition money to be £. 21-0-8; the vindicator is at liberty, upon producing his articles contained in this last class, to apply it to the account of contingent charges, if they appear to be such. I am sorry I am obliged to take up so much time in settling this one point; but as I am conscious to my self, I never once in my life, impos'd upon mankind a false account of facts, knowing it to be such; I thought it a point which ought to be well discuss'd.

The reader by examining the quarter bills, will see how much money has been rais'd in those three years; and by the general account will see that the expences of the student's education, are not diminished one farthing by the estate given by the government, viz. The farms in each of the western towns, or any other private donations; (as no rents of the college lands or any other donation is included in this account) but on the contrary, they have paid £. 236-9-0 three farthings into the treasury in three years, besides paying the president and tutors salary, and all the contingent charges, (as they are call'd) and also towards the support of the professor,

	£. 76-18-0, sterling,
To the air-pump,	55-19-0
To various expences, though for what purposes, the account doth not shew,	56-6-3

£. 189-3-3

During the five years I resided at college, there were no other demands (that I remember) made on the students, but tuition money, and study-rent; (except fines and glass broke) since Mr. president Clap's administration, a new column was added for contingent charges; then a second for cellar rent; this year a third is added, intitled *damages*; what title the next will bear I cannot say: But it appears surprising, that education at that school, should have continual additional burthens, especially in this time of expence throughout the English plantations, altho' the funds are continually increasing.--- I also know, there were considerable balances in the years preceding;---what addition has been made by the rents of the college farms, I cannot say; but by what I do know of former balances, and the rents of the college farms, I am inclin'd to think, all the credits of the treasury cannot be short
of

of four or five hundred pounds; and therefore to make additional charges, looks surprising.

I must, in the next place, remark on what the vindicator says, concerning my misrepresentations of the balance of the college accounts, || as he calls them. I estimated the contingent charges of college during the three years, on which my calculation was made, at £. 100 L. M. The vindicator asserts, p. 7, that the contingent charges are £. 253-12-0, and that the tuition money falls short of balancing, as above, £. 136-2-0. This inconsistency between his account and

|| Since the vindicator so often charges me with publishing falsehood, from malice perpenſe, I would just hint some errors of his own; he, perhaps, knows whether it was by a mere mistake, or of design, he says p. 7-8, That the salary of the president and tutors, allowance to the monitors, &c. amounts to

That the contingent charges amount to
And in the margin says, the glass broke is,
That the balance in favour of the treasury is

£. 757-15-4-
253-12-0-
55- 2-5-
236- 9-0- $\frac{3}{4}$
<hr/>
£. 1302-18-9 $\frac{3}{4}$

The total of which is,

Now the debt and balance of an account is always equal to the whole credit, and if the vindicator's account is just, this sum is equal to the whole credit of the account; but the reader sees the total is in sterling £. 1057-15-7 which in lawful money is, £. 1410-7-5, and there is wanting £. 107-8-7 one farthing, to make the sum total of the debt and balance of this account, to agree with the sum total of the credit. If it be said, this was the sum borrowed out of the treasury, for the professor, till the rents of the college lands came in; I answer, the sum borrowed out of the treasury, for the professor, is but £. 76-18-0 sterling, and is not equal to the sum of £. 107-8-7 one farthing; and if any other sum in the account, is added to it, it will be too much; but was this sum omitted out of the account for that end, and was it, as the vindicator says, borrow'd out of the college treasury, for the professor's use; it is a debt due to the treasury; and he should therefore instead of fixing the balance at £. 236-9-0 three farthings, have represented the balance £. 343-17-8.

Again he says, p. 12. 'As some of the rents of the college lands were unpaid, the steward was ordered to pay about as much as the study and cellar rent in the year 1756 and 1757, to the professor, as part of his salary, till the other rents came in.' By the quarter bills, the reader may soon see that the study and cellar rents in those years, amount only to £. 71-3-2 L. M. which is in sterling £. 53-7-4 half penny, and it appears by the general account, Mr. Dagget has receiv'd £. 76-18-0 out of the college treasury; in this there is an error of £. 23-10-7 half penny, sterling!--it is a difficult thing to play *leger de main* with numbers. I will leave the vindicator to apologize for these two errors, which are something more important, than an error of 11s. 6d. in footing the quarter bills of 3 years.

mine, is easily accounted for, by observing, that he ranks many articles of expence under the head of contingent charges, which, in my enumeration of them, I had excluded.

The vindicator complains of me, for saying that the scholars had been compell'd in those years, to pay in a balance in favour of the college treasury of £.438-16-4, besides paying the salaries and contingent charges; and says to this purpose, p. 8, that when all dues are collected, and paid into the treasury, that remain due, on a balance of *all* accounts, the whole that the treasury is actually enrich'd, by the scholars, in those years, amounts to no more than £. 236-9-0 three farthings, L. M. For the proof of which, he produces a certificate under the hand of the steward. And what a trifle is £. 236!---But he ought to have observ'd, that I did not say, that this £.438-16-4 is the balance of *all* accounts; but only of those particular accounts I had just before enumerated: I did not say or intimate, that the college treasury was enrich'd so much by the scholars, after all manner of expences had been defray'd; on the contrary, I expressly declar'd, page 7, 8, that the college treasury had not been enrich'd so much in those 3 years; and also further added, that I cannot tell how much the college treasury had been enriched, in those years; and that £. 88 L. M. had been paid out of the above balance to the professor, as part of his salary, &c. This he takes notice of, in a manner, which does me less dishonour than himself, p. 8. by saying, (of me) *That I am confident the remaining £.350-16-8, is the sum the college has been enrich'd by the scholars in those years*; and adds, "*With this allowance my account is still £.114-7-4 FALSE, tho' I pawn all my reputation, for the justice of it.*" But how doth this appear? I only said "the college, had been enrich'd £.350-16-8 at the scholar's cost, in these three years, *unless perhaps some of it has been expended in some other services*;" to wit, other, than those specified in my foregoing account. And doubtless, if some of it had not been expended in some other services, it would all have been repositied in the treasury. And in the margin of the 8th page, I say, "some part of this remaining balance, (viz. £. 350-16-8) has actually been expended in such services, as I can't particularize here." Thus effectually did I guard the reader, against supposing the college had been enriched so much by the scholars in those 3 years; and left it undetermin'd what the final

original balance of *all accounts* in favour of the treasury was : So little cause had the vindicator to say, " my account is still £. 114-7-4 *false*. But it was necessary for him to misrepresent me, in order to take off the eyes and attention of the people from what he desired them not to make any critical remarks upon. And the method he has chosen for doing this, is to impose on his readers a false and exaggerated account of the contingent charges, which he makes to amount to £.253-12-0. And this he does, by throwing in many articles of charges, under this head, which don't belong to it ; and which I had excluded in the enumeration of those articles which I suppos'd belong'd to that class ; and which I had spoken of in general, as expences *for other services*, without particularizing what they were, or ascertaining the sum. And in this *collusion* of the vindicator, lies the whole seeming strength of his defence of this part. The steward doth not certify, that after the payment of the salaries of the officers, and proper contingent charges, there remain'd only £.236-9 and three farthings balance, in favour of college ; but that this was the balance of all the sums, &c. As I have given the accounts at large, every reader may understand his meaning to be, That, after all the salaries of the officers, and all other charges and orders were paid, there remain'd £.236-9 and 3 farthings *L. M.* to be paid to the president and fellows ; and contingent charges, in this certificate, must include what was allowed Mr. president for entertaining the fellows, and whatever else was paid out upon any occasion, or for any purpose besides the salaries of the officers. And did I intimate, that the college monies, were not paid away, for any purposes, but the necessary ones I mention'd ? I was aware that the college monies were laid out to such purposes, that it was not probable a greater sum than £.236-9-0 3 farthings of three years incomes, remain'd in the treasury. And to gain so much, and to pay off so many kinds of charges, and some of them so needless, as I apprehend them to be, in three years, is enough to prove what I asserted, in my letter, " That the " taxes in *Yale college* are stated higher than necessary to de- " fray the annual expences of that school."

In the next place, I shall make some remarks on what the vindicator says on the articles of fines.

1st. He

1st. He roundly asserts, that the reason for which I fault the excess of fining at college, is, that I apprehend the fines are some way or other made subservient to the maintenance of a professor, p. 12. This may pass for a specimen of his *charity*, and *discernment* of the Hearts of men; but I presume, I know the motives on which I acted in that, rather better than he does, and so far as I know, the reason of my censuring the exorbitant fining at college, was, my abhorrence of the thing, as a scandalous and dangerous corruption of government. And I have the satisfaction to know, that gentlemen of sense and virtue, generally approve my remarks and censures on that article.

Remark 2. He says, that ‘To give them the most *formidable aspect*, I cast all the fines inflicted in 3 years, into one heap, amounting to £.172-16-1.’ But, with submission, as I was professedly giving an account of the monies collected from the scholars in three years, I *ought* to have done so; and if the whole amount of the fines for those years, makes a formidable and frightful appearance to most men, (and this gentleman himself, seems to be a little shock’d therewith) he ought not to blame me for that, but those that rais’d so much money by fines, in so short a time; unless he will suppose, that when any particular corruptions of government are rais’d so high as to be formidable, it becomes a sin to speak openly of them, lest people should be shock’d by the discovery. If, to prevent the formidable aspect of this article, I had only said, that the fines, if equally divided among all the students, would amount to about 20d. a head, per quarter, how ridiculous would this article have appear’d? and who would have cast up and footed the account? I suppose the fines in the most tyrannical reigns in the nation, did not amount to 12d. per head a quarter.

Remark 3d. The vindicator, next, misquotes and perverts the sense of my words, in order to render me odious, and enable himself to amuse his reader with a seemingly good account of the fines rising so high. His words are these, having complain’d that I gave the sum total of the fines, he adds, “And then with his usual modesty he observes, that “such an *exorbitant* collection of fines, lays him under a powerful temptation to suspect, that they had got together a most disorderly set of young fellows, or that a great part

of the fines are unjust." By *unjust* here the reader doubtless understood me to mean *arbitrary* and *illegal*. But the last part of this sentence, which he pretends to quote from my letter, is none of mine, either in words or sense; but is a mere forgery of his own, by which he imposes on his readers: My words were these, "Such an exorbitant collection---Tempt
 " one to suspect, that they have got together a most disorderly
 " set of young fellows---or, that they are govern'd and corrected
 " chiefly by pecuniary punishments, that almost all sins in that so-
 " ciety are purg'd and aton'd for by money. And if what he tells us in the margin of his 15th p. is true, viz. "That there have been but very few instances of any scholar's, being fin'd more than 6d for any one offence; and generally not above 2d or 3d." This greatly confirms the suspicion. I mentioned, or rather raises it to a certainty.---The reader will carefully remark the difference between my words above quoted, and his misrepresentation of them; if he had quoted honestly, and as becomes *a witness to truth, and a lover of religion*, he could have made no kind of reply; he was therefore necessitated, to corrupt the sense, and make me say the scholars are very disorderly, or *that a great part of the fines are unjust*; and we all know that necessity is lawless.--Having thus prepared himself an adversary, with whom he dare engage; he enters the lists, and beats the air very manfully. He says, "If
 " we consider the matter of fines carefully, neither of the
 " inferences can be fairly drawn;" and then goes on to shew, how such a sum might be rais'd by fines in three years time, without the scholars being very disorderly, or the fines being unjust, that is illegal. And to this purpose observes that if the whole sum be reduc'd to an average, allowing the number of scholars to be 172, it will make but 20d. each, per quarter: And to the amount of this, surely we may allow all of them to sin, 12 quarters successively, without supposing them to be very disorderly.---And he shews how this sum might have been rais'd justly, that is, consistent with law; particularly, if the scholars had *all of them* staid out of town four days after the vacancies, and been fin'd 5d per day according to law; or if they had *all of them* been absent from prayers and recitations one tenth part of their time, and been fin'd therefor according to law; or if *all of them* had wasted their time in idleness, out of their studies, in studying time, twenty times
 for

one quarter, (*i. e.* almost a quarter of the time) and been fin'd for but one half the times, 2d per time; in either of these ways he tells us, this sum might have been justly collected; much more might it be in all of them, But what of all this? I did not say the fines are unjust; and he proves no more but that it is possible they are just, that is legal; if it be allow'd that they are so, is not the case still just as I represented it? Either the scholars have been very disorderly, to be fin'd so much, or they are governed and corrected chiefly by pecuniary punishments. Perhaps the Fault is in the law, perhaps in the executive authority; I did not say in which: But, it is most manifest there is a fault some where, or so large a sum could not be collected by fines, in so short a time: I indeed said page 10-11, "I can't but think, that dealing so very
 " liberally in fines, is a very great and dangerous corruption,
 " in the government of our college. If their laws warrant
 " it, I think they are illy contriv'd: If the fines are in great
 " part arbitrary and illegal, as many of the students have
 " often complained that they are; it is *very wickedness*." This last clause, the vindicator perverts, and quotes in such a manner, as to represent me, as saying, that the mere collecting such a sum as has been raised by fines, is very wickedness. Page 13, I don't intend to trouble the reader, or myself, with many Remarks on this kind of faults, tho' the vindicator very frequently has relapses of them: I only wish that he repent; and for time to come, give some proof of his love to religion, by treating his neighbour honestly, and forbearing to give false witness concerning him, before the world.

It might be further remark'd on the vindicator, that he affects to speak of the £.172-16-1, rais'd by fines, as a trifling sum, to be made a matter of complaint against the present administration; by way of scorn and contempt he calls it; *this mighty sum*. P. 13, he is in hopes people have not yet lost the language of *Old Tenor*, and reduc'd their ideas to *Lawful Money*: But, I may, I believe, very truly say, that during the whole time of the late reverend rector *Williams's* administration, the students never paid £.2073-13-0 O. T. much less in three years, or the value of £.172-16-1, as money then pass'd. The same remark may be made on his sense of the profit made to the college treasury, by the taxes on the students. In a way of scorn he calls £.438-16-4, (which, he

says, I represented as the balance in favour of the college treasury) *this mighty sum*. P. 8. And I am inclin'd to think he spake from his heart, and that he really accounts it a *contemptible trifle* to enrich the college three or four hundred pounds, in 3 years, at the cost of the scholars, without their parent's knowledge or consent; or to take from them £.50 or £.60 per annum, by fines: And perhaps if he were to advise the corporation what answer to give to these complaints, he would give the same counsel the young men gave *Reboam*. The vindicator concludes his remarks on what I had said on the head of fines, with this false and foolish observation, "But, our author seems to be disposed to clamour against all sorts of punishments, but more especially against fines, *because he imagines they will help to maintain a professor*." P. 14. He introduced this article also with a like observation. Probably he himself judges that this exorbitant collection by fines, is for the professor's sake; and for this reason is so very tender of them; and esteems the money rais'd this way, a mere trifle, considering the pious use to which it is apply'd; and doubtless, he imagines, the good people of this government will lay by their resentments at such excessive fining, when they understand that the professor has some of the money collected this way, and are told the fines are complain'd of out of *ill will* to the professor; but he certainly has a very contemptible opinion of the understanding of this people, to imagine, that such a silly suggestion will at all quiet them.

I must next make a few remarks on what he says of the affair of the fresh men's fines, for card playing.---He implicitly allows this was their first offence; and that by the printed law, against card playing, they could be fin'd but 2s. 6d. each; and that one of them was in fact fin'd 20s. and the other two 40s. each; and that they also suffer'd the other punishments I mention'd.

But he says, "The law on which they were punish'd, was made since the laws were printed, after there had been a bad scene of gaming; and is in these words, viz. If any student shall play at any game, for a wager, or win or lose, any money or goods, by any kind of rassing, or any lottery, not set up by the civil authority; he shall be fin'd as much as the value of the money or goods won or
"lost;

“ lost; and if it be more than five shillings, he shall be admonish’d or degraded, and if above 10s. he shall be expell’d.” He adds, “ That it appears to him impossible but that I should know they were punish’d upon this, and not the printed law; and that those who gave me so minute an account of several minute circumstances, could not avoid informing me of it, p. 15. But in truth they did avoid informing me of it, and I did not know or ever once hear that there was such a law, till I saw it in his letter. And I hope this sin of ignorance will be winked at by persons *naturally disposed to mercy*. I must here make a few observations on this law, and the punishment pretended to be founded on it.

1st. I would remark, the vindicator has not said this is a law of the corporation, or even a law of the college: And I have some reasons to suspect, that it is a law of Mr. president’s constructing, which, by the college laws, Tit. 4. Sec. 21. he is empowered to make. But, whether this is a law of the corporation or not, I must confess I cannot say: But, I remember, about the time the vindicator says this law was made, I have been told, there was a bad scene carrying on at college; that the students actually set up lotteries among themselves; and, if this is a law of the corporation, it was doubtless made to prevent private lotteries, among the students; and his marginal note p. 15, confirms me in this opinion, for he says, “ It is agreeable to the laws of the government;” which, if it has any meaning at all, refers to the law concerning lotteries, and not the law of the government with regard to card playing: The law of the government for preventing of fraud by private lotteries, having enacted, that if any person shall without special liberty, &c. set up a lottery, &c. shall forfeit the value of such goods or monies, &c.

2dly. This law, if I understand the true sense of the words, does not warrant the fining for the transgression of it, in any case, more than 5s. The words are, that the transgressor “ shall be fin’d as much as the value of the money or goods won or lost;” that is, as the subsequent clause explains this, “ if the value is not more than 5s.; for the law says, &c. if it be more than 5s. he shall be admonished or degraded, and if above 10s. he shall be expell’d.” In this case there is to be no fining at all; for, if I understand the law, when admo-

admonition, degradation or expulsion takes place, fining ceases; so that, by this law, the case is no better than I stated it before; and in my apprehension, it is much worse; and I will not contend with the vindicator, whether they were punish'd contrary to the one or the other law, for they were not punish'd according to either of them; they were fin'd £. 5 for that, for which they could not be fin'd by this law, more than 15s. if they were subject to any fine at all. But as they had lost or won more than 10s. according to this law the president had no authority to fine them one single farthing, but should have expelled them. But the vindicator says, "The criminals being sensible they deserv'd expulsion, appear'd very humble, and threw themselves upon mercy, and begged that any punishment, short of expulsion, might be inflicted on them." And he tells us, that compassion towards these prostrate offenders prevail'd, and *mercy* triumph'd against *judgment*, and shew'd itself in two things, first in that "they were fin'd but an *eighth part* of the watches twice won and lost," hereby very plainly intimating, that they might have been fin'd £.40 for these crimes. What a monstrous law is this! or rather, what a covetous and perverse interpretation of the law! To be sure the president in this, exercised a most *flagrant* act of mercy and paternal compassion to these penitent offenders, in that he did not fine them £.40, but contented himself in taking from them £.5, in a case where he had no right, by law, to exact one farthing.

But it will be said, that they submitted to mercy, and begged any punishment short of expulsion; and by this, gave the president a right to take what he did, and more if he pleas'd; and that he shew'd his compassion in contenting himself with so moderate and merciful a pecuniary punishment: --- But I don't believe minors have a legal right to submit their fathers purses to mercy without their consent: And if not, the president certainly had no right to exact money by fine, after their submission, more than he had before, by virtue of the college law; which, in this case, warranted him to exact no fine at all. Had the president only fin'd them 5s. each, the utmost that this law allows in any case, there would have been some shadow of equity in it; tho' even that would not have been strictly legal. But his fining of them as he did, was a most extraordinary instance of *arbitrariness*, and corrupt

corrupt judgment; and turns mercy into *worm-wood*. And as it was done under a shew of compassion, the authority of college is dishonour'd and polluted by it: And I don't see how the corporation can, consistent with a good conscience, suffer this ill-gotten money to lie in their treasury, or be appropriated to the use of that society; or vindicate their honour, and clear themselves from the guilt of partaking in this criminal exaction, without ordering the money to be restor'd to the right owners; or at least all but 15s: Especially as it was exacted by the president, not only without legal right, but in express contradiction to, and defiance of, a standing law of the college (vid college law; tit. 4. sec 20) in which it is enacted in these words; "Fines to be laid for common crimes and
 " offences shall be from 3d to 12d; for higher crimes from
 " 12d to 3s; and for the greatest crimes, not more than 10s.
 " And where for any particular crime the fine is fixed or de-
 " termined by these laws, if the crime is daringly, negligent-
 " ly or often repeated, it shall be in the power of the presi-
 " dent or tutors to lay a heavier fine, not more than double." Had this been a crime to which a pecuniary punishment was annex'd; as it was the first offence, the fine could not have been doubled. But it seems even a law of the corporation cannot limit the president in his exacting money by fines. And money exacted of the subject, by Persons in authority, under pretence of law, is really as great, and indeed a greater offence, than if it had been taken without any pretence of legal right.

But the vindicator mentions another instance of the president's mercy and compassion to these offenders, which is, that *they were not expell'd*. In this indeed, there was some mercy: And if they had only been admonished, degraded, &c. it would have been honourable; but the glory of this act of mercy is greatly *sullied* and obscur'd by their being obliged to buy it, at so dear a rate. This commuting of legal punishments with *money*, is some times practis'd in the *ecclesiastical courts* in the nation, and loudly and justly complain'd of, as one of their greatest corruptions: And I am sincerely sorry to see any instance of it among ourselves, or that bears any analogy thereto; especially in our college, which, Mr. president says, is an *ecclesiastical society distinct* from, and *superior* to all others. Vid. relig. const. colleges. Notwithstanding this
superiority

superiority, I hope its rulers will govern the members according to law.

Since the vindicator has had the *assurance* to attempt the justification of this illegal exaction, and even to represent it to the government as an instance of compassion. I think it proper to mention *two* instances, out of many I could enumerate, of arbitrary and illegal fining, and give him opportunity to try his skill in *metamorphosing* them into acts of mercy.

1. A student being absent from public worship, in the hall, on Lord's-day; when the monitor's bill was call'd over, he answered that he did attend worship at the brick meeting-house; whereupon the president fin'd him the sum by law prefix'd for absence from worship; and also laid a fine upon him for being absent from his room; and, at the same time, fin'd him for unnecessary travel on the Lord's-day: And I am told, it is frequent to fine for absence from the hall, and also for being absent from the rooms;---besure, if they attend at the brick.

2. The morning following one of the late riots at college, the class under the tuition of the senior tutor, according to custom, repair'd to their tutor's room to recite; when they presented themselves, the tutor took down his catalogue, call'd over, and fin'd all those who were absent: Some whose names were call'd, before calling over the roll was finish'd, came in, and took their places, whose fines however, were not taken off, altho' they appear'd in order to recite; as soon as the roll was call'd over, the tutor dismiss'd them, without ever hearing them recite at all. It is difficult to account for the equity of those fines.

There is one thing more, in the vindicator's letter, I must just take some notice of, lest he should interpret my silence as a confession of GUILT; and that is his charging me and others, whom he stiles my accomplices, with the most malevolent designs, and mischievous practices against the government, the college, and the church of God. He begins his letter with this remarkable sentence, viz. "I have, for some years past, observ'd a small discontented party * in this colony, " who

* By a small discontented party, I conclude the vindicator means, *Arminians*, *Arians*, and those of Mr. president's *new-scheme* of religion, and other *hereticks*; this party is sometimes great, at other times small, as occasion serves;

“ who have constantly endeavour’d to disturb ALL our public ad-
 ministrations in church and state.” I do not think it necessary
 to say, that the author knows this sentence to be inconsistent
 with the words of *truth and soberness*: But as I have the ho-
 nour to be known to the legislature of this government; so I
 have the satisfaction to think they do not esteem me a person
 who constantly endeavours to disturb all their administrati-
 ons, or bring about innovations in the state. And I have the
 pleasure and happiness to be well acquainted with not a few
 of the rev’d clergy also, who, are in as good reputation in
 these churches as the *vindicator* and his *accomplices*, who do
 not esteem me an enemy to our college, or the *faith* of these
churches; and I do think also, that those gentlemen, whom he
 styles my accomplices, have, and very justly deserve their
 esteem: Surely this gentleman dreams, and talks in his sleep!
 I well know there has been a plan laid to bring about an in-
 novation in the state, by changing some of the chief *magistrates*,
 and can give convincing evidence. That *such designs*, not two
 years past, were plan’d at, ----- And can inform the pub-
 lic, on good authority, that, upon the death of the colony’s
 late Printer; no *nominations* being sent into the several towns
 of this government, in order for election, the last *April* twelve
 months past, that defect was supply’d, by written nominati-
 ons sent into divers towns in this colony, from the same
 town, and those gentlemen plac’d at the head of the nomina-
 tion, who were design’d to be introduced in the room of o-
 thers who were to be neglected: But the *vindicator*, I trust,
 would not denominate those persons my *accomplices*, who were
 concern’d in that affair; and I can assure the *vindicator* and
 the public, I should not think myself honour’d by being
 rank’d in their number. I have also much better authority
 than mere *conjecture*, to say the like design is now on foot, to
 change some of our chief magistrates, under whose wise

serves; when people’s zeal for orthodoxy (as it is term’d) is to be rous’d;
 and money rais’d to settle a professor, to oppose not *real*, but *imaginary he-
 reticks*, then it is a *great growing and formidable party*; but as soon as
 the professor is securely established, and any thing wrote or said, relative to
 the government of the college, then it is a *small discontented party*.

administrations this people have been so happy in this day of trouble and war. But I can assure the public, that I am not one, of those, that are thus given to change; and I am persuaded this vindicator will not account me of that number: and I have more confidence in the stability of the freemen of this colony, than to think they will be able to effect their design; their frequent efforts and disappointments, I should think might discourage any future attempts: However it may be well for the freemen to be on their guard.

Again p. 16. He represents the “murmurings and complaints of the scholars of late years against the college government, and the tumults, &c. as being raised by me and my accomplices, who are no friends to religion and learning, putting words into their mouths and endeavouring to foment disorders.” I know of no such scheming as he speaks of, nor of any such evil influences on the scholars, as he suggests and supposes to have been used, by a set of men, whom he delights to represent as no friends to religion and learning, but malicious enemies of the *college*, and the *faith* of these churches, and fomenters of faction in the *state*. For my own part, I have been so far from promoting the disorderly tumults of the scholars against the government of college, complain’d of, that I have, as occasion offered, dissuaded therefrom, and advis’d them to seek redress, if they had any just matters of complaint, only in a legal, just, and honourable way; and that this has been the temper of those he stiles my accomplices, I am able to make full proof of, if demanded.

The gentleman had no occasion to go so far out of his way, and to have recourse to such injurious surmises, in order to account for the late tumults among the students; he might have pointed out a more natural rise of them, and found an adequate cause nearer home: For, if I at all understand human nature, and the principles by which it is usually actuated; an arbitrary, despotick manner of governing youth; collecting from them large sums of money to be deposited in a fund for the purchase of air-pumps, or for other purposes unknown; fining them abundantly, often times illegally, and some times repeatedly for the same crime; subjecting them to a degradation, for a fault, which by the law might be purged by 2s. to expulsion for small offences, without remedy, or
any

any liberty of appeal; and obliging them to purchase acts of mercy at an extravagant price; tend so directly to raise in them murmurings and complaints, that the gentleman was under no necessity to ascribe them to any other cause.

The vindicator says, p. 17, 'That the college never was so much our beauty and glory, and the defence of our holy religion, as it is this day;' and adds, 'And I verily believe that our author thinks so, or else he would not be so enviously and maliciously set against it.' Poor gentleman! I pity him and the unhappy flock whose souls are committed to his charge! How unhappy is it that any one, who pretends to be a teacher of the gentle and benevolent religion of the gospel, should let such evil, and bitter communications proceed from him! Is this a specimen of the religion he calls himself a lover of? He further adds to this purpose, 'That an affection to *Arminius* and *Taylor*, is at the bottom of all I said in my former letter about the college; and gravely proposes, that the *general assembly* will appoint a committee, carefully to sift into my principles, and those he calls my accomplices,' and adds, 'I doubt not, but upon careful sifting they will find, that there is a design form'd, and plot laid to subvert the DOCTRINES and PRINCIPLES of our ecclesiastical constitution and overturn the college.' This unhappy man seems to be quite lost to all sense of honour and decency. How does he affront the general assembly without knowing it, in proposing to them to become the tools of his uncharitableness! He might have known, that honourable assembly have too great a sense of honour and virtue, and too tender a sense of liberty and freedom, to erect a *court of inquisition* for sifting into men's secret belief. But as he desires to have us to sift us as wheat, he should have cited us before the president's *holy court of inquisition*. For that is the only one that ever was, or, I believe ever will be in this country. And till he can bring us there, he and his accomplices must content themselves to believe evil of us without evidence, as they have done heretofore; and make up that trifling defect, with great confidence in asserting and reporting of it, and besure to bespatter us with dirt plentifully, with hearty malice. This gentleman has play'd his part well; and so have two others; they need not fear for want of proof, there are abundance

of *simple souls* every where; these will attend with gaping mouths, and be easily set on fire, and soon prepar'd by a dexterous management, to cry out in an extacy of zeal, *down with the round heads.*

In my former letter, I made some general observations on the laws and government of the college. I objected against the dealing so very liberally in fines; and gave sundry reasons, why in the government of such a society, pecuniary punishments ought to be *sparingly* used; ---as, *that these punishments don't fall on the persons of the offenders, but on their parents; ---that this way of punishing, takes place chiefly where there is the least prospect of working a reformation; and takes their parent's money from such as the least regard the same; ---that this way of punishing the children of the college, has but little tendency, at best, to better their hearts, and reform their manners; and as it is too often managed, tends to corrupt their morals.* And as the vindicator attempted no answer hereunto, and as it is a matter of so much importance, I earnestly request of the reader, to give another reading to the 11, 12, 13, and 14 pages of my former letter. I objected also, against the genius, and spirit of the constitution; which the vindicator, doubtless, tho't it most prudent to take no notice of; as he hath not attempted an answer thereto. I observed, *that by the laws of the college, the president himself, has a power, in some cases, of making and establishing laws at discretion.* As the vindicator hath passed over this, also, unanswered, I desire the reader to peruse the 17th page of my former letter again; and consider what force there is in the objection, and the great impropriety of the corporation's vesting the president with a legislative power.

By the college charter, the president and fellows of *Yale-college*, “ have power, from time to time, as occasion shall
 “ require, to make, ordain, and establish all such reasonable
 “ laws, rules and ordinances, not repugnant to the laws of
 “ *England*, nor the laws of this colony, as they shall think
 “ fit and proper, for the instruction and education of the stu-
 “ dents, and ordering, governing, ruling and managing the
 “ college.” But now by the college law [Tit. iv. sect. 21.] the president and fellows have delegated a power of making laws, according to his own pleasure, to the president. This is transferring the power, granted by the general assembly to
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the president and fellows of *Yale-college*, to one single person. Whereas this power cannot be transferr'd: Nor is it safe, for the subjects of college government, or consistent with the design of the general assembly, in trusting this authority in the hands of *eleven* persons, that it should be lodged in the hands of any *one single* person. I remarked also, *that by the laws of the college, the scholars have no liberty of appeal from the judgment of the president and tutors, to the fellows, in case of their suffering pecuniary punishments, how illegally so ever they are punished*: Which this vindicator may be supposed to concede, as he passes it over unanswered. I would now add, that there is no appeal allowed from the judgment of the president and tutors, to the president and fellows, even in the case of expulsion, by the college laws. And thus the children of the college are left in the hands of the president and tutors, to be not only fined unmercifully, but even expelled without remedy. The case of Mr. *Lambert's* son might serve for a comment on this.

And besides those observations I made in my former letter, on the laws and government of the college; I beg leave to make the following remarks concerning the same:

1st. That it is a defect in the laws and government of the college, that there is no *register* sworn to make record of all the votes and resolves of the president and fellows, and to grant copies, at the request of any person desiring the same. It appears to me very unreasonable, that it should be at the option of the president, whether any entries of the votes of the president and fellows, in their meetings, are made, or copies granted, or not. I am persuaded that if any other incorporate society, or body corporate and politick, amongst us, should leave it with their president or moderator, to record what votes and resolves of the said society he pleases, and leave the rest unenter'd; and arbitrarily to grant or withhold copies at his pleasure, there would soon be an out-cry against that society.

2dly. It is a very great defect in the laws and government of that society, that the executive authority thereof is not obliged to grant copies of judgment, &c. It is one of the privileges of an *English* subject, that he may have copies of all judicial proceedings against him, and thereby have opportunity to make it appear, if he hath been illegally used. But,

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I have been informed, this piece of natural justice was refused to the rev'd Mr. *Ashley*; whose son was degraded for discharging a gun, in the market place in *New-Haven*: Which was a violation of no public law subsisting, save only that *Tit. iv. sec. 15.* "If any scholar shall keep or discharge a gun within the college-yard, without leave from the president, or his tutor first obtained, he shall be fined not exceeding two shillings." And what an arbitrary exertion of executive power was this, to degrade for a crime, for which only a pecuniary punishment of 2s. could be inflicted by the law!

3dly. I should think, that good policy would require, that there be a treasurer to that society, sworn to a faithful discharge of the office; and, I believe, I am not singular in my opinion, that monies ought not to be drawn out of the treasury, but by order of the president and fellows.

4thly. As the college was founded, and endowed by the government; I believe, I am not mistaken in judging, that the laws of that society ought to be in the *English* tongue, open to the examination and understanding of all the people. The college was originally founded by the general assembly, the representative of this colony, for the public benefit of the same; for the education of youth, and promoting and propagating of useful knowledge thro' the land. The whole community therefore, and every member of the colony, must have an interest in it; and must be interested in the good management and government thereof: And ought to be satisfied, that the rules and orders thereof correspond with the general intention of it's foundation and institution, and are just, reasonable and equitable. Indeed I have heard it inquir'd, *What business is it of any person's not immediately employed in the government of the college, how that society is governed; or what are its statutes, laws and orders?* But are such in earnest? Have others no interest in the college? Is it of no importance to the inhabitants of this colony, whether the affairs of the college be under good management or not? Whether our children may have a good education, and be under a proper government or not? Whether we may obtain a liberal education for our children, without excessive charges or not? Are there not many children, born of parents of a narrower fortune, who have a sprightly and promising genius, and might be singularly

larly useful, to church and state, if they could obtain a liberal education ? And is it no matter to the public, tho' the avenues thereto be entirely blocked up, by the expensive charge thereof ; and the advantage of a college education be appropriated to rich men's son's alone ?

For my part, I consider the college as a school that every man hath an interest in, and ought to be concern'd for ; which, under proper regulation, may be a seminary for training up youth in learning, and virtuous, and generous principles ; and which, under a bad management, may have a dangerous influence upon the whole community, and diffuse arbitrary principles, bigotry and corruption all over the land.

I have no desire " to raise a popular odium " against the present governors of the college : Only as a hearty friend to that society, I point out some things, that I suppose want correcting, and call for the serious attention of the publick ; especially of the general assembly, who are the proper visitors of the college. A correction of which may, in my opinion, render our college our glory and our joy, and a blessing for a great while to come.

The care of the colleges and universities, is esteem'd so great a trust ; that almost all the universities and colleges, for the education of youth, in Europe, have visitors appointed, to whom the president and fellows are accountable. And where none are appointed, the government immediately visit.

Why Mr. president, and some of the present governors of the college, should be so averse to a visitation by the general assembly, is difficult to tell ; except they have secrets, which they are unwilling the fathers of the country should be acquainted with. Will not our General Assembly consider the college as their own nursery ; be tender of its interests, and with a fatherly delicacy correct what is amiss ? Had they not discover'd such a dread of, aversion to, and reluctance against a visitation, and such heat of wrath and anger to the friends of college, that propos'd it ; I should have thought they would have rejoiced in a paternal visitation of the civil fathers of the country ; and been sincerely pleased to find that the General Assembly would make the college their care, and inspect the affairs thereof. But, whether the present governors of that society, desire the inspection of our legislature

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or not, I hope that honourable assembly will not cast off, out of their care, that seminary, which they have founded, and so generously endowed; but will examine into all its affairs, consult all its interests, and know, whether the estate given by them, is improv'd to the best advantage, and for the purposes for which the donations were made; and what are the pressing exigencies of the college, which have induc'd the governor's thereof to burden the education of students, with higher taxes than to discharge the annual expences of the house, even to the depositing very considerable sums in the treasury, annually; and it is the hearty and sincere desire of my soul, that under their paternal inspection, it may flourish, and diffuse knowledge, religion, and a just sense of liberty, amongst all orders of men, to the latest posterity.

F I N I S.

E R R A T A :

PAGE 11. line 7. after *account*, dele *and therefore*. Page 13. line 17. insert *L. M.* next after *farthings*. Page 19. line 4th from the bottom, insert *L. M.* next after 172-16-1, and dele *as money then passed*. Page 21. line 4th from the bottom, next after the word *says*, dele, &c.

